

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 2115 be amended to read as follows:

- 1 Page 1, line 3, delete "The telephone calling system provided".
- 2 Page 1, delete lines 4 through 7.
- 3 Page 1, line 8, delete "board of accounts." and insert **"(a) This**
- 4 **section applies to a telephone calling system provided for confined**
- 5 **offenders.**
- 6 **(b) The amount billed for a contractor 0+, 00-, or 01+ call**
- 7 **placed by a confined offender shall reflect on a one for one basis all**
- 8 **discounts and commissions offered by a telecommunications**
- 9 **provider to the department, including any facility or employee of**
- 10 **the department, through the request for proposal ("RFP") bidding**
- 11 **process.**
- 12 **(c) If the amount billed for a contractor 0+, 00-, or 01+ call**
- 13 **placed by a confined offender does not reflect on a one for one**
- 14 **basis all discounts and commissions received through the RFP**
- 15 **bidding process by the department, including any facility or**
- 16 **employee of the department, the department shall do one (1) of the**
- 17 **following:**
- 18 **(1) The department may refund on a prorated basis all**
- 19 **discounts and commissions received from a**
- 20 **telecommunications provider under the process described in**
- 21 **subsection (d).**
- 22 **(2) The department, through the State of Indiana, may submit**
- 23 **a new RFP for a custom network service for public telephone**
- 24 **interlata, intrastate, and interstate long distance services for**

confined offenders. At a minimum, the RFP shall contain the following:

(A) Any security and fraud control services considered necessary by the department, including the use of 0+ collect calling services as the sole means of confined offender communications with the general population.

(B) A prohibition against the receipt by the department, including any facility or employee of the department, of any fee, discount, commission, or other consideration for contractor 0+ calls placed by a confined offender.

(d) A person may claim a refund from the department by providing the department a copy of the person's telecommunications bill indicating all charges for contractor 0+, 00-, and 01+ calls placed by a confined offender. Not later than thirty (30) days after receiving the copy of the telecommunications bill, the department shall refund to the person that portion of the charges for contractor 0+, 00-, and 01+ calls placed by a confined offender equal to the percentage of the discount or commission received by the department for contractor 0+, 00-, or 01+ calls placed by the confined offender.

(e)".

Page 1, line 11, delete "discounted service; or" and insert "discount;".

Page 1, line 12, after "(3)" insert "commission; or (4)".

Page 1, line 13, delete "vendor" and insert "provider".

Page 1, line 14, delete "vendor's" and insert "provider's".

Page 1, line 17, delete "The telephone calling system provided".

Page 2, delete lines 1 through 5.

Page 2, line 6, delete "accounts." and insert "(a) This section applies to a telephone calling system provided for confined offenders.

(b) The amount billed for a contractor 0+, 00-, or 01+ call placed by a confined offender shall reflect on a one for one basis all discounts and commissions offered by a telecommunications provider to the community corrections advisory board, including any facility or employee of the board, through a competitive bidding process.

(c) If the amount billed for a contractor 0+, 00-, or 01+ call placed by a confined offender does not reflect on a one for one basis all discounts and commissions received through the competitive bidding process by the board, including any facility or employee of the board, the board shall do one (1) of the following:

(1) The board may refund on a prorated basis all discounts and commissions received from a telecommunications provider under the process described in subsection (d).

(2) The board may submit a new bid proposal for a custom

1 network service for public telephone interlata, intrastate, and
 2 interstate long distance services for confined offenders. At a
 3 minimum, the bid proposal shall contain the following:

4 (A) Any security and fraud control services considered
 5 necessary by the board, including the use of 0+ collect
 6 calling services as the sole means of confined offender
 7 communications with the general population.

8 (B) A prohibition against the receipt by the board,
 9 including any facility or employee of the board, of any fee,
 10 discount, commission, or other consideration for
 11 contractor 0+ calls placed by a confined offender.

12 (d) A person may claim a refund from the board by providing
 13 the board a copy of the person's telecommunications bill indicating
 14 all charges for contractor 0+, 00-, and 01+ calls placed by a
 15 confined offender. Not later than thirty (30) days after receiving
 16 the copy of the telecommunications bill, the board shall refund to
 17 the person that portion of the charges for contractor 0+, 00-, and
 18 01+ calls placed by a confined offender equal to the percentage of
 19 the discount or commission received by the department for
 20 contractor 0+, 00-, or 01+ calls placed by the confined offender.

21 (e)".

22 Page 2, line 9, delete "discounted service; or" and insert
 23 "discount;"

24 Page 2, line 10, after "(3)" insert "commission; or
 25 (4)".

26 Page 2, line 11, delete "vendor" and insert "provider".

27 Page 2, line 12, delete "vendor's" and insert "provider's".

28 Page 2, line 15, delete "The telephone calling system provided".

29 Page 2, delete lines 16 through 19.

30 Page 2, line 20, delete "board of accounts." and insert (a) This
 31 section applies to a telephone calling system provided for confined
 32 offenders.

33 (b) The amount billed for a contractor 0+, 00-, or 01+ call
 34 placed by a confined offender shall reflect on a one for one basis all
 35 discounts and commissions offered by a telecommunications
 36 provider to the county jail, including any facility or employee of
 37 the jail, through a competitive bidding process.

38 (c) If the amount billed for a contractor 0+, 00-, or 01+ call
 39 placed by a confined offender does not reflect on a one for one
 40 basis all discounts and commissions received through the
 41 competitive bidding process by the jail, including any facility or
 42 employee of the jail, the jail shall do one (1) of the following:

43 (1) The jail may refund on a prorated basis all discounts and
 44 commissions received from a telecommunications provider
 45 under the process described in subsection (d).

46 (2) The jail may submit a new bid proposal for a custom
 47 network service for public telephone interlata, intrastate, and

interstate long distance services for confined offenders. At a minimum, the bid proposal shall contain the following:

(A) Any security and fraud control services considered necessary by the jail, including the use of 0+ collect calling services as the sole means of confined offender communications with the general population.

(B) A prohibition against the receipt by the jail, including any facility or employee of the jail, of any fee, discount, commission, or other consideration for contractor 0+ calls placed by a confined offender.

(d) A person may claim a refund from the jail by providing the jail a copy of the person's telecommunications bill indicating all charges for contractor 0+, 00-, and 01+ calls placed by a confined offender. Not later than thirty (30) days after receiving the copy of the telecommunications bill, the jail shall refund to the person that portion of the charges for contractor 0+, 00-, and 01+ calls placed by a confined offender equal to the percentage of the discount or commission received by the jail for contractor 0+, 00-, or 01+ calls placed by the confined offender.

(e)".

Page 2, line 23, delete "discounted service; or" and insert "discount;".

Page 2, line 24, after "(3)" insert "commission; or (4)".

Page 2, line 25, delete "vendor" and insert "provider".

Page 2, line 26, delete "vendor's" and insert "provider's".

Page 2, line 29, delete "The telephone calling system provided".

Page 2, delete lines 30 through 33.

Page 2, line 34, delete "as determined by the state board of accounts." and insert (a) **This section applies to a telephone calling system provided for confined offenders.**

(b) The amount billed for a contractor 0+, 00-, or 01+ call placed by a confined offender shall reflect on a one for one basis all discounts and commissions offered by a telecommunications provider to the juvenile detention facility, including any facility employee, through a competitive bidding process.

(c) If the amount billed for a contractor 0+, 00-, or 01+ call placed by a confined offender does not reflect on a one for one basis all discounts and commissions received through the competitive bidding process by the facility, including any facility employee, the facility shall do one (1) of the following:

(1) The facility may refund on a prorated basis all discounts and commissions received from a telecommunications provider under the process described in subsection (d).

(2) The facility, through the State of Indiana, may submit a new bid proposal for a custom network service for public telephone interlata, intrastate, and interstate long distance

services for confined offenders. At a minimum, the bid proposal shall contain the following:

(A) Any security and fraud control services considered necessary by the facility, including the use of 0+ collect calling services as the sole means of confined offender communications with the general population.

(B) A prohibition against the receipt by the facility, including any facility employee, of any fee, discount, commission, or other consideration for contractor 0+ calls placed by a confined offender.

(d) A person may claim a refund from the facility by providing the facility a copy of the person's telecommunications bill indicating all charges for contractor 0+, 00-, and 01+ calls placed by a confined offender. Not later than thirty (30) days after receiving the copy of the telecommunications bill, the facility shall refund to the person that portion of the charges for contractor 0+, 00-, and 01+ calls placed by a confined offender equal to the percentage of the discount or commission received by the facility for contractor 0+, 00-, or 01+ calls placed by the confined offender.

(e)".

Page 2, line 37, delete "discounted service; or" and insert "discount;".

Page 2, line 38, after "(3)" insert "commission; or (4)".

Page 2, line 39, delete "vendor" and insert "provider".

Page 2, line 40, delete "vendor's" and insert "provider's".

Page 3, line 1, delete "The telephone calling system provided".

Page 3, delete lines 2 through 5.

Page 3, line 6, delete "determined by the state board of accounts." and insert (a) This section applies to a telephone calling system provided for confined offenders.

(b) The amount billed for a contractor 0+, 00-, or 01+ call placed by a confined offender shall reflect on a one for one basis all discounts and commissions offered by a telecommunications provider to the juvenile detention center, including any center employee, through a contract bidding process.

(c) If the amount billed for a contractor 0+, 00-, or 01+ call placed by a confined offender does not reflect on a one for one basis all discounts and commissions received through the contract bidding process by the center, including any center employee, the center shall do one (1) of the following:

(1) The center may refund on a prorated basis all discounts and commissions received from a telecommunications provider under the process described in subsection (d).

(2) The center may submit a new bid proposal for a custom network service for public telephone interlata, intrastate, and interstate long distance services for confined offenders. At a

1 minimum, the bid proposal shall contain the following:

2 (A) Any security and fraud control services considered
3 necessary by the center, including the use of 0+ collect
4 calling services as the sole means of confined offender
5 communications with the general population.

6 (B) A prohibition against the receipt by the center,
7 including any center employee, of any fee, discount,
8 commission, or other consideration for contractor 0+ calls
9 placed by a confined offender.

10 (d) A person may claim a refund from the center by providing
11 the center a copy of the person's telecommunications bill indicating
12 all charges for contractor 0+, 00-, and 01+ calls placed by a
13 confined offender. Not later than thirty (30) days after receiving
14 the copy of the telecommunications bill, the center shall refund to
15 the person that portion of the charges for contractor 0+, 00-, and
16 01+ calls placed by a confined offender equal to the percentage of
17 the discount or commission received by the center for contractor
18 0+, 00-, or 01+ calls placed by the confined offender.

19 (e)".

20 Page 3, line 9, delete "discounted service; or" and insert
21 "**discount;**".

22 Page 3, line 10, after "(3)" insert "**commission; or**
23 **(4)**".

24 Page 3, line 11, delete "vendor" and insert "**provider**".

25 Page 3, line 12, delete "vendor's" and insert "**provider's**".
(Reference is to HB 2115 as printed February 28, 2001.)

Representative Smith V